

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. AUS920030046US1

In re Application of: §
Matthew S. Cronk et al. §
§ Examiner: Tran, Vincent Huy
§
Serial No.: 10/646,447 § Confirmation No.: 9513
§
Filed: 8/22/2003 § Art Unit: 2115
§
For: Method and Apparatus for Starting §
Up and Maintaining of Multiple §
Networked Computing Systems §

RESPONSE B UNDER 37 C.F.R. § 1.111

Box Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response is submitted in answer to the Examiner's Action dated April 9, 2008, having a shortened statutory period set to expire July 9, 2008, extended to August 9, 2008.

In the action dated April 9, 2008, the Examiner notes that the informal drawings submitted with the present application were not of sufficient quality to permit the examination. A two month time period to submit new drawings was set; however, the Examiner has indicated that the period for submission of new drawings will be stayed until the filing of this response. Consequently, replacement sheets bearing the indicia "Replacement Sheet" within the page header are submitted herewith and the Examiner's objection to the drawings is believed to be overcome.

Next, the Examiner has rejected Claims 9-12 under 35 U.S.C. § 101 believing those claims are not statutory as directed to software, per se, lacking a recitation of storage on a medium which enables an underlying functionality to occur. Applicant respectfully points out to the Examiner that Claim 9 has been previously been amended to expressly recite computer